IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No.2496 of 2007

Mahadeo Jayram Ghude ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr Prakash Naik, Advocate for the applicant.

Ms S. D. Shinde, APP for the State-Respdt.

CORAM: V. C. DAGA,J.
DATED: 24. 08. 2007.

P.C.:-

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. Perused application and the material available on record.

3. The applicant is seeking bail in C.R.No.I 35 of 2007 registered with Murbad Police Station for the offence alleged under Section 302 of the I.P.C.

4. During the course of hearing, I was taken through the material and the alleged facts are that the body of the deceased was found near the factory of the applicant.

The applicant - accused has made

an extra judicial confession before four persons admitting guilt. During the course of investigation, the weapon i.e. stone by which the injury was caused to the deceased has been recovered by police.

5. It is also no doubt true that there are no eye witnesses to the alleged incident and the case is registered on the circumstantial evidence. However, in addition to the circumstantial evidence, there is extra judicial confession on record. In the circumstances, there is sufficient material on record to connect the present applicant with the offence alleged.

6. In the aforesaid view of the matter, I am not inclined to entertain this application.

Thus, the application is rejected.

(V.C. DAGA,J.)